

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

THOMSON REUTERS ENTERPRISE  
CENTRE GMBH and WEST PUBLISHING  
CORPORATION,

Plaintiffs/Counterdefendants,

V.

ROSS INTELLIGENCE INC.,

Defendant/Counterclaimant.

C.A. No. 20-613-SB

## JURY TRIAL DEMANDED

**PUBLIC VERSION**

## NOTICE OF SUBSEQUENT DEVELOPMENT

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Dated: April 24, 2023  
10771081 / 20516.00001

Public Version Dated: May 1, 2023

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

THOMSON REUTERS ENTERPRISE	)	
CENTRE GMBH and WEST PUBLISHING	)	
CORPORATION,	)	
	)	C.A. No. 20-613-SB
Plaintiffs/Counterdefendants,	)	
	)	<b>JURY TRIAL DEMANDED</b>
v.	)	
	)	
ROSS INTELLIGENCE INC.,	)	<b>PUBLIC VERSION</b>
	)	
Defendant/Counterclaimant.	)	

**NOTICE OF SUBSEQUENT DEVELOPMENT**

On February 21, 2023, Plaintiffs Thomson Reuters Enterprise Centre GmbH and West Publishing Corp. (“Plaintiffs”) produced a document that directly contradicts certain arguments made by Plaintiffs in their Motion for Partial Summary Judgment on Fair Use and in their Opposition to ROSS’s Motion for Summary Judgment on Fair Use.

In their Fair Use Motion and their Opposition to ROSS’s Fair Use Motion, Plaintiffs argue implicitly and explicitly that ROSS cannot prevail on the issue of fair use because LegalEase, at the behest of ROSS, copied Plaintiffs’ copyrighted materials in some systematic fashion. The document produced on February 21, 2023, contradicts this argument. It reflects that, [REDACTED]

[REDACTED]

The document is at Bates No. TRCC-00548958, and has been filed under seal with the Court as **Exhibit 1** to this notice.<sup>1</sup> ROSS asks this Court to consider this document when assessing Plaintiffs’ asserted arguments made in the following:

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<sup>1</sup> The document at issue is responsive to ROSS’s RFP Nos. 35, 37, 39, and 44, served on May 12, 2021. Plaintiffs agreed on July 12, 2021, to produce documents that are responsive to these requests. **See Exhibits 2 and 3.**

- **D.I. 254**, dated December 22, 2022 (Plaintiffs’ Motion for Partial Summary Judgment (No. 3) on Fair Use)
- **D.I. 317**, dated January 30, 2023 (Plaintiffs Opposition to ROSS’s Motion for Summary Judgment as to Fair Use)
- **D.I. 354**, dated February 13, 2023 (Plaintiffs’ Reply Brief re Motion for Partial Summary Judgment (No. 3) on Fair Use)

As well, ROSS ask this Court to consider this document when assessing ROSS’s arguments made in the following:

- **D.I. 272**, dated December 22, 2022 (ROSS’s Motion for Summary Judgment on its Affirmative Defense of Fair Use): pages 6 (B. “Statement of Facts”), 17-18 (C. “Factor One—Purpose and character of the use”)
- **D.I. 318**, dated January 30, 2023 (ROSS’s Opposition to Plaintiffs’ Motion for Partial Summary Judgment on Fair Use): pages 3-4 (“Statement of Facts”), 10-12 (I.A.1.b “LegalEase Made Only Functional, Ephemeral And Intermediate Use of The Key Number System In Furtherance Of ROSS’s Transformative Use”)
- **D.I. 347**, dated February 13, 2023 (ROSS’s Reply Brief re Motion for Summary Judgment on its Affirmative Defense of Fair Use): pages 2-3 (I. “Factor One: ROSS’s Use Was Highly Transformative, Spurred New Creation And Served Important Public Interests”)

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Respectfully submitted,  
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